5245386/2021/OP-I-AGC01

GOVERNMENTOF ANDHRA PRADESH

A B S T R A C T

Agriculture & Cooperation Department – ACB Cases – Sri N.Satya Gopala Krishna, Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District – Subsequently retired as Senior Assistant, O/o Joint Director of Agriculture, Visakhapatnam - Countersigning the false and fabricated Annual Property Returns(APRs.) in the Disproportionate Assets Case of Sri. P.Sanjeeva Rao in Cr.No.01/RC-ACB-VSP/2010 – Departmental proceedings initiated under rule 20 of A.P.Civil Services (CCA) Rules, 1991 – Imposition of the penalty of withholding of 25% of pension for period of (3) years under A.P.Revised Pension Rules, 1980 – Orders – Issued.

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AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.739 **Dated :19.11.2021**

Read the following:

1. From the Director General, ACB, Hyderabad, Final Report No. 07/RCA-WVP/2010-S11, Dated: 23-5-2011.
2. Govt. Memo No. 638/Vig.I/1/2010-8, A&C(Vig.I) Dept., dt.19.09.2011.
3. G.O.Rt.No.1066, A & C (Vig.I) Dept., dt.20.09.2011.
4. From the Commissioner & Director of Agriculture, A.P., Hyderabad, Lr. No. Vig.II (5) 33/2010, dated:19.11.2011.
5. G.O. Rt. No.848, A&C (Vig.I) Dept., dt.31.07.2012.
6. From the Spl. Commissioner of Agriculture, A.P., Guntur, Lr. No. Vig.II (5) 33/2010, dated:01.01.2019.
7. Govt. Memo No. 638/Vig.I/1/2010-8, A&C(Vig.I) Dept., Dt:27.05.2019.
8. From the Spl. Commissioner of Agriculture, A.P., Guntur, Lr. No. Vig.II (5) 33/2010, dated:18.09.2019.
9. From the Spl.Commissioner of Agriculture, A.P., Guntur, Lr.No.Vig.II(5) 33/2010, dt.25.02.2020.
10. Govt. Memo. No. 638/Vig.I/2020 (2), A&C(Vig.I) Dept., Dated: 09.11.2020.
11. From the Commissioner of Agriculture, A.P., Guntur. Lr. No.Vig.II(5)33/2010, Dt:30.12.2020.
12. Govt. Memo. No. 638/Vig.I/2020 (1), A&C(Vig.I) Dept., Dated: 08.03.2021.
13. From the Commissioner of Agriculture, A.P., Guntur. Lr. No.Vig.II(5)33/2010, dt.20.04.2021.
14. Govt. Lr.No.638/Vig.I/2020, A & C (Vig.I) Dept., dt. 05.08.2021.
15. From the Secretary, APPSC, Vijayawada, Lr.No.439/DC&C/2021, dt.21.09.2021.

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O R D E R:

In the reference 1st read above, the Director General, ACB, AP, Hyderabad, has submitted final report regarding properties/assets acquired disproportionately to the known sources of income by Sri P. Sanjeeva Rao, Agricultural Extension Officer (SC), O/o Asst. Director of Agriculture, Arakuvalley, Visakhpatnam District. He has also stated that Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District, has committed grave misconduct by colluding with the above Accused Officer and countersigning the false Annual Property Returns, by tampering the office records and hence recommended for departmental action against him, along with two others, for contravention of rule 3(1)(2) of A.P.Civil Services (Conduct) Rules, 1964.

2. The Govt. have, therefore, initiated departmental action against the Officers involved in the episode, under rule 20 read with rule 24 of A.P.Civil Services (CCA) Rules, 1991 and decided to conduct common enquiry into the allegations against the (4) Accused Officers, as per rule 24(1)(2) of A.P.Civil Services (CCA) Rules, 1991 and accordingly issued orders in the reference 2nd read above.

(P.T.O)

3. As part of disciplinary action, under rule 20 of A.P.Civil Services (CCA) Rules, Articles of Charge have been issued in respect of Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District, in the reference 3rd read above, for his misconduct in as much as by countersigning the false and fabricated Annual Property Returns of the Accused Officer Sri. P. Sanjeeva Rao in Cr.No.01/RC-ACB-VSP/2010 by tampering the officer records, in collusion with the Accused Officer, as if they were filed in time and to facilitate him to get out of the Disproportionate Assets case.

4. In the reference 4th read above,the Commissioner & Director of Agriculture, A.P., Hyderabad, has forwarded the Written Statement of Defense (WSD) of the Charged Officer Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District, has submitted his Written Statement of Defense (WSD), along with the other three Charged Officers, denied all the charges and hence in the reference 5th read above, the Govt. have appointed the Joint Director of Agriculture, Visakhapatnam, as Inquiry Officer to conduct a common inquiry into the Articles of Charge issued against all the Charged Officers. In the same order, the Govt. have also appointed Asst. Director of Agriculture (Training), O/o Joint Director of Agriculture, Visakhapatnam, as Presenting Officer to present the case on behalf of the Inquiry Officer.

5. In the reference 6th read above, the Special Commissioner of Agriculture, A.P., Guntur, has forwarded the enquiry report dt.23.11.2018 of the Joint Director of Agriculture (FAC), Visakhapatnam in which the latter has stated that the charges framed against all the Charged Officers are held proved. Accordingly, the Govt. have examined the Inquiry Report and accepted it and communicated to all the Charged Officers, in the reference 7th read above, through the Special Commissioner of Agriculture, A.P., Guntur, for their explanations on the fndings of the Inquiry Officer.

6. In the reference 8th read above, the Special Commissioner of Agriculture, A.P., Guntur, has submitted the dated acknowledgements of all the Charged Officers and explanationations of the three Charged Officers, except Sri K.Chengappa, former Asst. Director of Agriculture(SC), RVP, Arakuvalley, Visakhapatnam (now Retd.), and further in the reference 9th read above, he has also proposed to impose any one of the punishments on the Charged Officers, under Rule-9 of APCS (CCA) Rules, 1991 for their involvement in the above said case and requested the Govt. to issue further orders in the matter.

7. The Government have examined the case in detail and after consultation with the advisory department, proposed to impose the punishment of stoppage of (3) Annual Grade Increments with cumulative effect against the Charged Officer Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District, Visakhapatnam and issued a Show Cause Notice to the Charged Officer, through the Commissioner of Agriculture, A.P., Guntur, in the reference 10th read above, directing him to show cause as to why the penalty proposed against him should not be imposed for the Charges held proved.

8. In the reference 11th read above, the Commissioner of Agriculture, A.P., Guntur has forwarded the explanation of the Charged Officer Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and in which the latter has requested to exonerate him from the charges and withdraw the punishment proposed against him.

9. Since Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently Senior Assistant, O/o Joint Director of Agriculture, Visakhapatnam has retired from Govt. service on 30.11.2020, on attaining the age of superannuation, the Govt. have issued him a revised Show Cause Notice, under A.P.Revised Pension Rules, 1980, through the Commissioner of Agriculture, A.P., Guntur, in the reference 12th read above, directing him to show cause as to why punishment of withholding of 25% of pension for a period of (3) years should not be imposed against him for the Charges held proved.

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10. In the reference 13th read above, the Commissioner of Agriculture, A.P., Guntur has forwarded the explanation of the Charged Officer Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Senior Assistant, O/o Joint Director of Agriculture, Visakhapatnam, in which the latter has requested to exonerate him from the charges and withdraw the punishment proposed against him.

11. Since the Charged Officer has not produced any new material or evidence that has the effect of changing nature of the case, the Govt. have not considered the explanation and decided to impose the above said punishment against the Charged Officer Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Senior Assistant, O/o Joint Director of Agriculture, Visakhapatnam.

12. Accordingly, the Secretary, A.P.P.S.C., Vijyawada has been requested, in the reference 11th read above, to place above said proposal in respect of the Charged Officer Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Senior Assistant, O/o Joint Director of Agriculture, Visakhapatnam, before the Commission, as per Regulation 17 of APPSC, and obtain its concurrence and communicate the same to this Department for further action in the matter.

13. In the reference 15th read above, the Secretary, A.P.P.S.C., Vijayawada has stated that the Commission agrees with the proposals of the Govt. to impose the punishment of withholding of 25% of pension for a period of (3) years against Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Senior Assistant, O/o Joint Director of Agriculture, Visakhapatnam and advised accordingly.

14. The Government, after careful examination of the matter, hereby impose the punishment of withholding of 25% of pension for a period of (3) years in respect of the Charged Officer Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Senior Assistant, O/o Joint Director of Agriculture, Visakhapatnam, as per A.P.Revised Pension Rules, 1980.

15. The Commissoner of Agriculture, A.P., Guntur, shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
CHIEF COMMISSIONER RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri N.Satya Gopala Krishna, the then Senior Assistant, O/o Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Senior Assistant, O/o Joint Director of Agriculture, Visakhapatnam, through the Commissioner of Agriculture, A.P., Guntur.
The Commissioner of Agriculture, A.P., Guntur.

Copy to:
The Prl. Accountant General, A.P., Vijayawada.
The Director of Treasuries & Accounts, A.P., Vijayawada.
The District Treasury Officer/Sub Treasury Officer, Visakhapatnam.
The P.S. to Secretary, A.P.P.S.C., Vijayawada.
The Joint Director of Agriculture, Visakhapatnam
The Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District
The Director General, ACB, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Vijayawada A.P.,
Sf/Sc

// FORWARDED BY ORDER//

SECTION OFFICER